

REMARKS

STATUS OF CLAIMS

Claims 2-7 and 9-20 are pending of which claims 2-7, 9-12 and 20 have been elected and claims 13-19 have been withdrawn. Claims 4, 6, 9-12 and 20 have been amended herein. No new matter has been added. A Request for Continued Examination, together with the requisite fee for the same, is filed herewith. Reconsideration of the claims is respectfully requested.

Withdrawn claims 13-16, 17, 18 and 19 depend from amended independent claims 4, 11, 10 and 12 respectively, and therefore, include any allowable subject matter of their respective base claims. In view of MPEP 821.04, in case allowance, Applicants respectfully request the Examiner to reconsider the propriety of the restriction requirement and consider rejoinder of non-elected claims 13-19.

Claims 2-4, 6-7 and 9-12 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DiMattina, U.S. Patent No. 6,405,177, hereinafter "DiMattina", in view of Furusawa et al., U.S. Patent No. 6,937,738, hereinafter "Furusawa," in further view of Dickinson et al., U.S. Patent No. 7,260,724, hereinafter "Dickinson."

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over DiMattina, in view of Furusawa, in further view of Dickinson, and further in view of Margoscin et al., U.S. Patent No. 7,003,482, hereinafter "Margoscin."

35 U.S.C. §103(a) REJECTIONS

Claims 2-4, 6-7 and 9-12 and 20 are allegedly unpatentable over DiMattina, in view of Furusawa, and in further view of Dickinson. This rejection is respectfully traversed.

On page 3, lines 1-3, the Office Action cites column 3, lines 47-55 of DiMattina as disclosing the feature of "wherein said distributing distributes the solicitation-to-insurance information from an insurer selected corresponding to contents of the electronic information" as recited by claim 4. Applicants submit, however, that DiMattina fails to describe "said solicitation-to-insurance information is selected according to a trading price and a transaction type included in the electronic information" as recited by lines 9-11 of amended claim 4. The feature of solicitation-to-insurance information selected according to a trading price and a transaction type as recited by claim 4 is supported by Figure 7 of the present application. For example, as shown

in Figure 7, the protocol monitor 52 refers to a definition table 86 and then selects appropriate solicitation-to-insurance information. (see also, Specification pg. 13-14).

In contrast, DiMattina merely discusses making a call to an insurer's URL when a user makes a purchase on the retailers website. For example, DiMattina column 3, lines 47-55 recite:

In accordance with the preferred embodiment, the provided on-line transaction insurance system will work in cooperation with the various electronic retailers which will modify their websites by implementing a call to the insurance provider's URL (Uniform Resource Locator) or WWW address. As shown in FIG. 1, the insurance provider will pay rent to the electronic retailer in exchange for this cooperation.

As shown above, DiMattina discusses that a retailer will modify its website to implement a call to the insurer's URL, and the insurer will pay the retailer rent for cooperating. In other words, DiMattina fails to disclose expressly or implicitly any details of how a particular insurance provider might be selected, other than possibly selecting the referral of a particular insurance provider because of the payment of rent from the insurance provider but without regard to a "trading price" and a "transaction type." Accordingly, DiMattina cannot support a prima facie case of obviousness by failing to describe expressly or implicitly the feature of "said solicitation-to-insurance information is selected according to a trading price and a transaction type included in the electronic information" as recited claim 4.

Applicants submit that Furusawa and Dickinson, taken alone or in combination, fail to cure the deficiencies of DiMattina described above. Therefore, claim 4 patentably distinguishes over the cited art for at least the above-mentioned reasons.

Independent claims 6, 9-12 and 20 recite the feature "said solicitation-to-insurance information is selected according to a trading price and a transaction type included in the electronic information," and therefore, patentably distinguish over the cited art.

Dependent claims 2, 3 and 7 recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependence from the independent claims.

Claim 5 is allegedly unpatentable over DiMattina, in view of Furusawa, in further view of Dickinson, and further in view of Margoscin et al. This rejection is respectfully traversed.

Applicants submit that Margoscin fails to cure the deficiencies of the cited art described above, and therefore, Dependent claim 5 patentably distinguishing over the cited art due to its dependence from claim 4 in addition to any additional features recited therein.

In view of the above, Applicants respectfully request the rejection be withdrawn.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

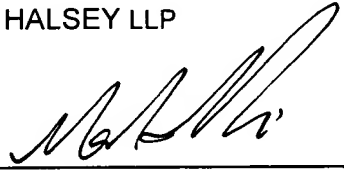
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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